

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION**

SUSAN THAYER,

Plaintiff,

vs.

PLANNED PARENTHOOD OF THE  
HEARTLAND,

Defendant.

No. 4:11-cv-129-JAJ

**ORDER REGARDING PLAINTIFF'S  
MOTIONS TO DEFER RULINGS ON  
DEFENDANT'S BILL OF COSTS AND  
MOTION FOR ATTORNEY'S FEES**

This case is before the court on plaintiff Thayer's June 17, 2020, Motion To Defer Consideration Of Defendant's Bill Of Costs Pending Plaintiff's Appeal [Dkt. No. 331] and her June 25, 2020, Motion To Stay Further Briefing And Defer Defendant's Motion For Attorneys' Fees While Appeal Is Pending, Or For Permission To Take Discovery To Respond To Defendant's Motion For Attorneys' Fees [Dkt. No. 333]. In her Motions, Thayer asks the court to hold in abeyance consideration of defendant PPH's Bill of Costs and Motion For Attorneys' Fees until after completion of her appeal on the merits; or, in the alternative, to allow her to conduct discovery so she can properly respond to them; or, also in the alternative, to grant her an eight-week extension to submit her opposition to them. Defendant PPH filed a consolidated Response [Dkt. No. 334] opposing both Motions on July 1, 2020.

The court finds it inappropriate to stay consideration of the Bill Of Costs and the Motion For Attorneys' Fees until disposition of the pending appeal on the merits. The court finds that it is appropriate to resolve these matters promptly and to avoid piecemeal dispositions and appeals. *See* FED. R. CIV. P. 54(d) and note on 1993 amend. ("Prompt filing affords an opportunity for the court to resolve fee disputes shortly after trial, while the services performed are freshly in mind. It also enables the court in appropriate circumstances to make its ruling on a fee request in time for any appellate review of a dispute over fees to proceed at the same time as review on the merits of the case.").

The court also believes that Thayer likely has access to all of the relevant information to respond to the Motion For Attorneys' Fees, because relevant documents were provided in support of that Motion and additional documents are likely to be in her possession. Nevertheless, the court will refer to the magistrate judge questions of the need for and the scope of any discovery concerning attorneys' fees and the resolution of any disputes concerning such discovery.

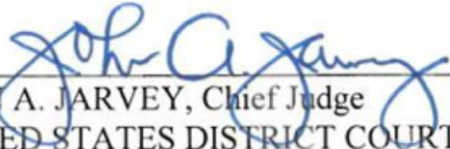
The court will, however, grant Thayer's request for an extension of time to resist the Bill of Costs and the Motion For Attorneys' Fees to facilitate Thayer's responses.

Upon the foregoing,

**IT IS ORDERED** that plaintiff Thayer's June 17, 2020, Motion To Defer Consideration Of Defendant's Bill Of Costs Pending Plaintiff's Appeal [Dkt. No. 331] and her June 25, 2020, Motion To Stay Further Briefing And Defer Defendant's Motion For Attorneys' Fees While Appeal Is Pending, Or For Permission To Take Discovery To Respond To Defendant's Motion For Attorneys' Fees [Dkt. No. 333] are **granted in part and denied in part**, as follows:

1. The request to stay or defer consideration of the Bill of Costs and the Motion For Attorneys' Fees until after disposition of the pending appeal is **denied**;
2. Questions of the need for and the scope of any discovery concerning attorneys' fees and the resolution of any disputes concerning such discovery are **referred to the magistrate judge**; and
3. The request for an extension is **granted** and Thayer shall have **to and including September 3, 2020**, to file responses to the Bill of Costs and the Motion For Attorneys' Fees.

**DATED** this 2nd day of July, 2020.

  
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JOHN A. JARVEY, Chief Judge  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA